

HOWREY & SIVON

February 18, 1999

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Box Patent Application

Assistant Commissioner for Patents
Washington, D.C. 20231

Re: New U.S. Non-Provisional Utility Patent Application
Appl. No. (to be assigned); Filed: (herewith)
Continuation of U.S. Appl. No. 09/005,549, filed: January 12, 1998
For: **Microencapsulated 3-Piperidinyl-Substituted 1,2-Benzisoxazoles and
1,2-Benzisothiazoles**
Inventors: Mesens *et al.*
Our Ref: 00166.0051.US04

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is a **continuation** application of prior Appl. No. 09/005,549, consisting of the following documents:

1. Utility Patent Application Transmittal Form PTO/SB/05;
2. Form PTO-1082;
3. U.S. Utility Patent Application, entitled: **Microencapsulated 3-Piperidinyl-Substituted 1,2-Benzisoxazoles and 1,2-Benzisothiazoles**

and naming as inventors: Jean Mesens, Michael E. Rickey and Thomas J. Atkins

the application comprising:

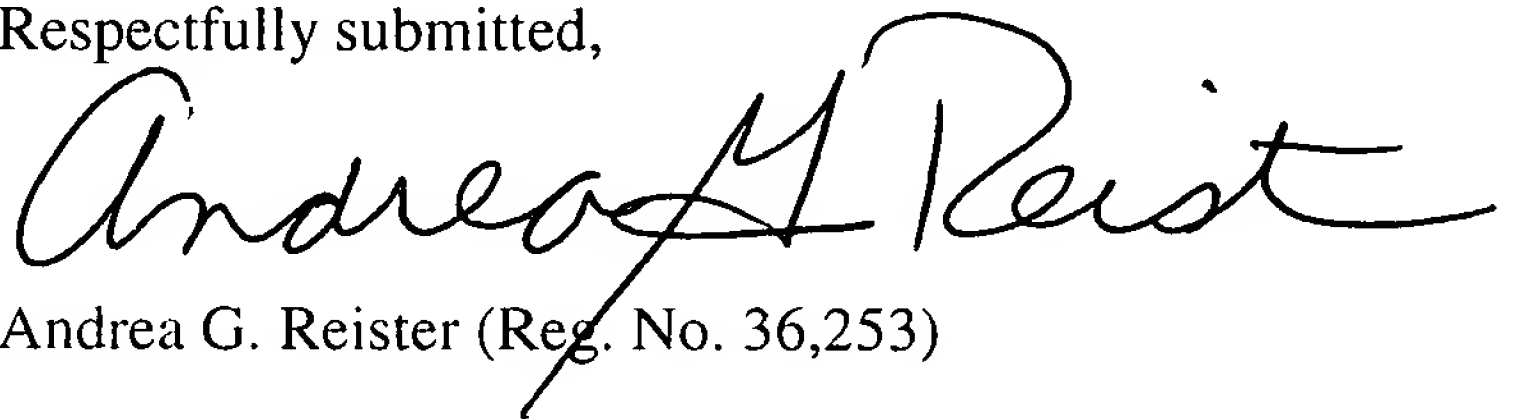
- a. The specification containing:
 - (i) 38 pages of description prior to the claims;
 - (ii) 7 pages of claims (27 claims);
 - (iii) a two (2) page abstract;
- b. 5 sheets of drawings: (Figures 1-5);

- c. Two copies of the executed Supplemental Combined Inventors' Declaration and Power of Attorney from prior application no. 09/005,549;
4. A Preliminary Amendment;
5. An Information Disclosure Statement (IDS);
6. Form PTO-1449 (11 pages);
7. Our Check No. 305800 for \$760.00 to cover:
\$760.00 Filing fee for patent application; and
8. Two (2) return post cards.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038. A duplicate copy of this letter is enclosed.

Respectfully submitted,



Andrea G. Reister (Reg. No. 36,253)

Enclosures

09/005,549

HOWREY & SIMON
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Attorney Docket No. 00166.0051.US04

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of

Inventors: Mesens *et al.*

For: Microencapsulated 3-Piperidiny1-Substituted 1,2-Benzisoxazoles and 1,2-Benzisothiazoles

Enclosed are:

- ☒ 5 sheets of formal drawings.
— Two copies of assignment of the invention to _____
— Form PTO-1595.
— A certified copy of a _____ application.
— An associate power of attorney.
— A verified statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27.
— Executed Power of Attorney from Assignee
☒ Two copies of executed Supplemental Combined Declaration and Power of Attorney for Patent Application from parent Appl. No. 09/005,549.

The filing fee has been calculated as shown below:

(Col. 1)		(Col. 2)	SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
FOR	NO. FILED	NO. EXTRA	RATE	FEE		RATE	FEE
BASIC FEE				\$ 395.00	OR		\$ 760.00
TOTAL CLAIMS	13 - 20 =	* 0	x 11 =		OR	0 x 18 =	.00
INDEP. CLAIMS	1 - 3 =	* 0	x 41 =		OR	x 78 =	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			+ 135 =		OR	+ 270 =	
			TOTAL		OR	TOTAL	760.00

*If the difference in Col. 1 is less than zero, enter "0" in Col. 2

— Please charge my Deposit Account No. 08-3038 in the amount of \$ _____. A duplicate copy of this sheet is attached.

☒ A check in the amount of \$760.00 to cover the basic filing and additional claims fees is enclosed.

☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 08-3038. A duplicate copy of this sheet is attached.

☒ Any additional filing fees required under 37 CFR 1.16.

☒ Any patent application processing fees under 37 CFR 1.17.

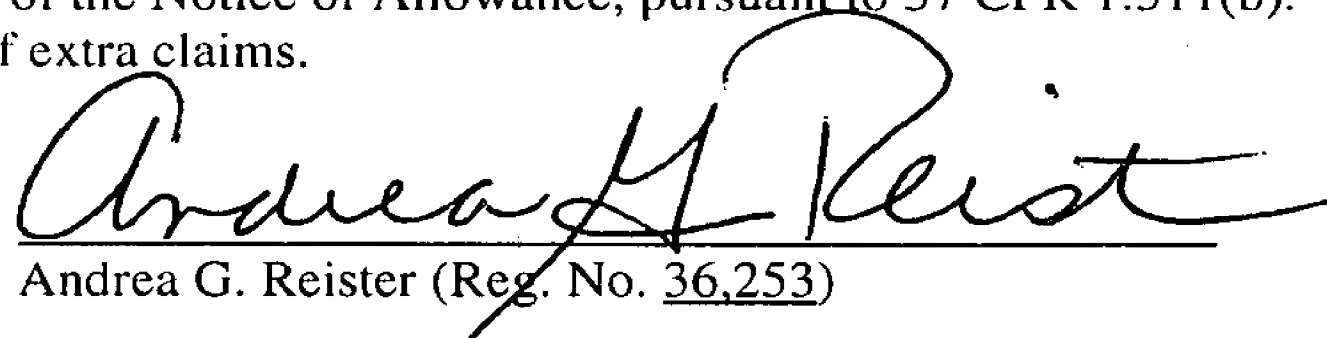
— The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 08-3038. A duplicate copy of this sheet is enclosed.

— Any patent application processing fees under 37 CFR 1.17

— The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).

— Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Date February 18, 1999


Andrea G. Reister (Reg. No. 36,253)

Please type a plus sign (+) inside this box ☐

Under the Paperwork Reduction Act of 1996, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/05 (2/98)
Approved for use through 09/30/00. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

UTILITY PATENT APPLICATION TRANSMITTAL <small>(Only for new nonprovisional applications under 37 CFR 1.53(h))</small>		Attorney Docket No. 00166.0051.US04	
		First Named Inventor or Application Identifier Mesens et al.	
		Title Microencapsulated 3-Piperidinyl-Substituted 1,2-Benzisoxazoles and 1,2-Benzisothiazoles	
		Express Mail Label No.	

APPLICATION ELEMENTS <small>See MPEP chapter 600 concerning utility patent application contents</small>	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231
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<p>1. <input checked="" type="checkbox"/> *Fee Transmittal Form (Form PTO-1082) <small>(Submit an original and a duplicate for fee processing)</small></p> <p>2. <input checked="" type="checkbox"/> Specification [Total Pages 47] <small>(preferred arrangement set forth below)</small></p> <ul style="list-style-type: none">- Descriptive title of the Invention- Cross References to Related Applications- Statement Regarding Fed sponsored R&D- Reference to Microfiche Appendix- Background of the Invention- Brief Summary of the Invention- Brief Description of the Drawings (if filed)- Detailed Description- Claims- Abstract of the Disclosure <p>3. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets 5]</p> <p>4. Oath or Declaration [Total Pages 6]</p> <p>a. <input type="checkbox"/> Newly executed (original or copy)</p> <p>b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <small>(for continuation/divisional with Box 17 completed) [Note Box 5 below]</small></p> <p>i. <input type="checkbox"/> DELETION OF INVENTOR(S) <small>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</small></p> <p>5. <input checked="" type="checkbox"/> Incorporation By Reference (useable if Box 4b is checked) <small>The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</small></p>	<p>6. <input type="checkbox"/> Microfiche Computer Program (Appendix)</p> <p>7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</p> <p>a. <input type="checkbox"/> Computer Readable Copy</p> <p>b. <input type="checkbox"/> Paper Copy (identical to computer copy)</p> <p>c. <input type="checkbox"/> Statement verifying identity of above copies</p>
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ACCOMPANYING APPLICATION PARTS	
8. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))	9. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <small>(when there is an assignee)</small>
10. <input type="checkbox"/> English Translation Document (if applicable)	11. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations
12. <input checked="" type="checkbox"/> Preliminary Amendment	13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Two) <small>(should be specifically itemized)</small>
14. <input type="checkbox"/> *Small Entity Statement(s) <input type="checkbox"/> Statement filed in prior application, Status still proper and desired	15. <input type="checkbox"/> Certified Copy of Priority Document(s) <small>(if foreign priority is claimed)</small>
16. <input type="checkbox"/> Other:	

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: 09/005,549

Prior Application Information: Examiner: J. McKane Group/Art Unit: 1941

18. CORRESPONDENCE ADDRESS					
<input type="checkbox"/> Customer Number or Bar Code Label or <input checked="" type="checkbox"/> Correspondence address below <small>(Insert Customer No. or Attach bar code label here)</small>					
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Name (Print/Type)		Andrea G. Reister		Registration No. (Attorney/Agent)	36,253
Signature				Date	February 18, 1999